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TECHNOLOGY CENTER 2100

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WASHINGTON DC 20005

In re Application of: KWON, Young-sig
Application No. 10/674,477
Filed: October 1, 2003
For: RECORDING METHOD AND
RECORDING APPARATUS USING SAME

DECISION ON PETITION

This is a decision on the petition filed on May 25, 2007, under 37 CFR 1.181(a) to invoke Supervisory Authority with respect to the Office action mailed on April 18, 2007, and withdraw the finality of the office action.

The Petition is **DISMISSED as MOOT.**

RECENT PROSECUTION HISTORY

January 17, 2007	Final Rejection mailed.
March 14, 2007	Applicant filed response to final rejection above
April 18, 2007	A second final rejection mailed.
May 25, 2007	Instant petition requesting withdrawing finality of 4/18/2007 action
August 8, 2007	Non-Final Rejection mailed

Petitioner filed the instant petition on May 25, 2007, requesting that the finality of the office action mailed on 4/18/2007 be withdrawn, since

- A rejection of claims 1, 2, 8, 9, and 21 under 35 U.S.C. 102 was made for the first time, thus constituting a new grounds of rejection in a final office action.

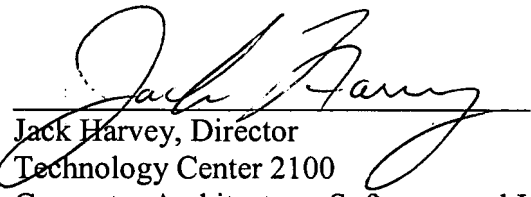
In the new non-final office action mailed on August 8, 2007, examiner indicates the withdrawal of finality of the office action mailed on 1/17/2007 (refer page 2 of non-final action mailed on

August 8, 2007). Per the examiner, the final office action mailed on 4/18/2007 was a reissue of the final office action mailed on 1/17/2007 (refer page 2 of final office action mailed on 4/18/2007). Hence by issuing a new non-final office action on August 8, 2007, and indicating that the finality of office action mailed on 1/17/2007 is withdrawn, examiner has also effectively withdrawn the finality of the office action mailed on 4/18/2007.

Accordingly, in view of the above stated reason, the instant petition, filed under 37 CFR §1.181 to withdraw the finality of the April 18, 2007 Office action in this application, is rendered moot.

Accordingly, the Petition is **DISMISSED as moot**.

Any request for reconsideration must be filed within two months of the mailing date of this decision.



Jack Harvey, Director
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Computer Architecture, Software, and Information Security